

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ESLAYNET DURAN,	:	
	:	
Plaintiff,	:	
	:	23-CV-19 (VSB)
-against-	:	
	:	<b><u>ORDER AND NOTICE OF</u></b>
BJ'S WHOLESALE CLUB, INC.,	:	<b><u>INITIAL CONFERENCE</u></b>
	:	
Defendant.	:	
-----X	:	

VERNON S. BRODERICK, United States District Judge:

This case has been assigned to me for all purposes. It is hereby:

ORDERED that the Court will not be holding an initial pretrial conference.

IT IS FURTHER ORDERED that Defense counsel, Thomas M. O'Connor, provide a copy of this Order to Natascia Ayers, via email at [natasciaayers@outlook.com](mailto:natasciaayers@outlook.com). Ms. Ayers shall file a notice of appearance on behalf of Plaintiff by April 7, 2023.

IT IS FURTHER ORDERED that, by April 10, 2023, the parties submit a joint letter, not to exceed three (3) pages, providing the following information in separate paragraphs:


1. A brief description of the nature of the action and the principal defenses thereto;
2. A brief explanation of why jurisdiction and venue lie in this Court. If any party is a corporation, the letter shall state both the place of incorporation and the principal place of business. If any party is a partnership, limited partnership, limited liability company or trust, the letter shall state the citizenship of each of the entity's members, shareholders, partners and/or trustees;
3. A brief description of all contemplated and/or outstanding motions;
4. A brief description of any discovery that has already taken place, and/or that which will be necessary for the parties to engage in meaningful settlement negotiations;

5. A brief description of prior settlement discussions (without disclosing the parties' offers or settlement positions) and the prospect of settlement;
6. The estimated length of trial; and
7. Any other information that the parties believe may assist the Court in advancing the case to settlement or trial, including, but not limited to, a description of any dispositive issue or novel issue raised by the case.

IT IS FURTHER ORDERED that the parties also jointly submit to the Court a proposed case management plan and scheduling order. A template for the order is available at <http://nysd.uscourts.gov/judge/Broderick>. The status letter and the proposed case management plan should be filed electronically on ECF, consistent with Section 13.1 of the Court's Electronic Case Filing (ECF) Rules & Instructions, available at <https://nysd.uscourts.gov/rules/ecf-related-instructions>.

SO ORDERED.

Dated: April 3, 2023  
New York, New York

  
Vernon S. Broderick  
United States District Judge